

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JUSTIN BAERGA; STEVEN GREENE; GIOVANNA SANCHEZ-
ESQUIVEL; and SARAH ARVIO, individually and on behalf of all
others similarly situated, and COMMUNITY ACCESS, INC.;
NATIONAL ALLIANCE ON MENTAL ILLNESS OF NEW
YORK CITY, INC.; and CORRECT CRISIS INTERVENTION
TODAY - NYC,

Plaintiffs, **NOTICE OF MOTION**

-against-

21 Civ. 5762 (PAC)

CITY OF NEW YORK, BILL DE BLASIO; DERMOT F. SHEA;
NYPD POLICE OFFICER KRZYSZTOF WNOROWSKI; NYPD
POLICE OFFICER SHERON; NYPD POLICE OFFICER
MCDOWELL; NYPD POLICE SERGEANT NATHAN MOLE;
NYPD POLICE OFFICER MARTIN HABER; NYPD POLICE
SERGEANT CARRKU GBAIN, NYPD POLICE OFFICER
VIKRAM PRASAD; NYPD POLICE OFFICER ANDRE
DAWKINS; NYPD POLICE OFFICER TYRONE FISHER; NYPD
POLICE OFFICER DEVINDRA RAMAYYA; NYPD POLICE
OFFICER JULIAN TORRES; NYPD OFFICER APRIL
SANCHEZ, and NYPD OFFICERS JOHN and JANE DOES # 1-40,

Defendants.

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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law;
and upon all prior pleadings and proceedings had herein, defendants City of New York, Bill de
Blasio, Dermot Shea, P.O. Krzysztof Wnorowski, P.O. Robert Sheron, Sgt. Nathan Mole, P.O.
Martin Haber, P.O. Carrku Gbain, P.O. Andre Dawkins, P.O. Tyrone Fisher, P.O. Devindra
Ramayya, P.O. Julian Torres, P.O. Dylan McDowell, P.O. Vikram Prasad, and P.O. April Sanchez,
will move this Court before the Honorable Paul A. Crotty, United States District Judge, at the
United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New
York, New York 10007, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for a

decision and order dismissing certain claims in the amended complaint, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that plaintiffs' opposition is due on or before October 19, 2022, and defendants' reply, if any, is due on or before November 2, 2022.

Dated: New York, New York
September 13, 2022

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel of the City of New York
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Shea, Wnorowski, Sheron, Mole, Haber,
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By: *Alan H. Scheiner* /s/
Alan H. Scheiner
Senior Counsel

cc: All Counsel (via ECF)